IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Revision No.3957 of 2007

Date of Decision: August 9, 2007

Rumal Chand .....Petitioner

Versus

Jagdish Chander .....Respondent

CORAM:- HON'BLE MR.JUSTICE S. D. ANAND

Present: Mr.Sushil Saini, Advocate
for the petitioner.

S.D.ANAND, J.

There is a consistent fact-based finding by the learned Rent Controller and also the learned Appellate Authority that the respondent-landlord is in need of the tenanted premises for expansion of his business and to provide roof to his workers who have to function under the open sky on account of paucity of space. The respondent-landlord is presently doing his business in a shop adjacent to the tenanted premises. His plea for expansion of business by joining two shops was accepted by two Courts. Also accepted was the plea that there was personal necessity of the landlord to get the tenanted premises vacated in order to be able to start ancillary business for his unemployed son.

It is neither here nor there for the learned counsel for the tenant-appellant to argue that the landlord-respondent may expand his business by utilizing some other property of his on the Ist Floor. The averment cannot be accepted for want of a plea and obviously evidence in support thereof. The quoted pleadings of the tenant-appellant would not give any indication to that effect.

The findings, recorded by the learned Trial Court relatable to the material obtaining on the file, are well reasoned and there is nothing perverse or illegal in the manner of appreciation of evidence.

The revision petition is held to be completely bereft of merit and is ordered to be dismissed.

(S. D. ANAND)
JUDGE

August 9, 2007
SRM